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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

10 MICHAEL D. MILAM,
11 Plaintiff,
12 v.
13 PIERCE COUNTY, *et al.*,
14 Defendants.

15 Case No. C05-5842FDB

16 ORDER GRANTING
17 APPLICATION TO PROCEED *IN FORMA PAUPERIS* AND
18 DIRECTING INSTITUTION TO
19 CALCULATE, COLLECT, AND
20 FORWARD PAYMENTS

21 The Court, having reviewed plaintiff's application to proceed in forma pauperis (Doc. 1), does
22 hereby find and ORDER.

23 (1) Plaintiff's declaration indicates he is unable to afford the court's filing fee or give security
24 therefor. Accordingly, plaintiff's application to proceed as a pauper is **GRANTED**. As set forth below,
25 **an initial partial filing fee will be collected, and plaintiff is required to make monthly payments of
20 percent of the preceding months income credited to his/her account until the full amount of the
filing fee is satisfied.**

26 (2) Pursuant to 28 U.S.C. § 1915 and plaintiff's approved application to proceed *in forma*
27 *pauperis*, the agency having custody of the above named plaintiff is directed to calculate an initial partial
28 filing fee equal to 20 percent of greater of -- the average monthly deposits to the prisoner's account or the
average monthly balance in the prisoner's account for the 6-month period immediately preceding the date
of this Order. The initial partial filing fee should be forwarded to the court clerk as soon as practicable.

Subsequently, if the prisoner's account exceeds \$10.00, each month the agency is directed to

1 collect and forward payments equal to 20 percent of the prisoner's preceding month's income credited to
2 the prisoner's account. In the event that the monthly payment would reduce the prisoner's account below
3 \$10.00, the agency should collect and forward only that amount which would reduce the prisoner's
4 account to the \$10.00 level. Please note that this \$10.00 limit does not apply to the initial partial filing fee
5 described above. Finally, the monthly payments should be collected and forwarded to the court until the
6 entire filing fee (\$250.00) for this matter has been paid.

7 (3) The Clerk is directed to send plaintiff a copy of this Order and the General Order, and a copy
8 of this Order along with a copy of plaintiff's Acknowledgment and Authorization portion of the IFP
9 application to the attention of the inmate account manager (IFP account manager) at the Washington State
10 Department of Corrections.

11 || DATED this 27th day of January, 2006.

/s/ J. Kelley Arnold
J. Kelley Arnold
United States Magistrate Judge